

JUN 23 2005

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
CHARLOTTESVILLE DIVISION

JOHN F. GORGORAN, CLERK  
BY: *[Signature]*  
DEPUTY CLERK

UNITED STATES OF AMERICA

CIVIL ACTION No. 3:04-CR-00094

v.

ORDER AND OPINION

JAMES BRAGG NEWMAN,

*Defendant.*

JUDGE NORMAN K. MOON

The Court has before it Defendant's Motion to Continue the sentencing hearing in this matter, filed June 15, 2005. Defendant explains that the presentence report prepared for this hearing contains the names of several new alleged victims, about whom the government had not previously made allegations nor included as alleged victims in the plea agreement. Because the government does not object to the continuance and the Court finds that good cause exists, the Motion to Continue is GRANTED IN PART. To the extent that Defendant requests that the hearing be reset for October 1, 2005 or later, the Motion is DENIED IN PART. Accordingly, the sentencing hearing scheduled for July shall be taken off the calendar. Counsel for both the United States and Defendant are directed to contact Fay Coleman, the Court's Scheduling Clerk, at (434) 847-5722, forthwith to set a new hearing date, scheduled for no more than sixty (60) days from today's date.

It is so ORDERED.

The Clerk of the Court is directed to send a certified copy of this Order to all counsel of record.

ENTERED: *Nimel Mun*  
U.S. District Judge  
6-23-05  
Date